



Crl.O.P.No.32687 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.32687 of 2024

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... Petitioner

Vs.

The State represented by,
The Inspector of Police,
E-1 Mylapore Police Station,
Chennai.
(Crime No.408 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with Crime No.408 of 2024 dated 18.12.2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.Y.Rahul

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.408 of 2024 registered for the offences punishable under Sections 126(2), 296(b), 118(1), 309(4) and 311 of BNS, is on board for consideration.



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2. The incarceration of the petitioner being from 18.12.2024 pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner is in no way connected with the alleged offence, however, the present case has been registered only for the statistical purpose. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that when the de facto complainant had refused to give the money as demanded by the accused, the accused had abused the de facto complainant in filthy language, assaulted him with wooden log and by intimidating him at knife point, extorted a sum of Rs.500/- and a mobile phone from him. He further submits that three previous cases, including the cases registered for the offences under 307 IPC, are pending against the petitioner.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on



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bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties** (out of which, one surety should be a blood related surety of the petitioner), each for a like sum to the satisfaction of the learned **XVIII Metropolitan Magistrate, Saidapet, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall stay at Villupuram and report before the Inspector of Police, Villupuram Town Police Station, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;



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A.D.JAGADISH CHANDIRA.,J.

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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

07.01.2025

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To

1. The XVIII Metropolitan Magistrate,
Saidapet, Chennai.
2. The Inspector of Police,
E-1 Mylapore Police Station,
Chennai.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.
4. The Inspector of Police,
Villupuram Town Police Station,
Villupuram.
5. The Public Prosecutor,
High Court of Madras.

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